

SENATE BILL 9061

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 21; Title 50; Title 63 and Title 68, relative
to discrimination involving COVID-19.

WHEREAS, COVID-19 has been a major concern for the citizens of Tennessee; and

WHEREAS, in some areas, proof of a negative COVID-19 test has been required to
participate in public, in commerce, in employment, and in sports and entertainment activities;
and

WHEREAS, vaccinated individuals can become infected with and spread the COVID-19
virus; and

WHEREAS, the creation of a second class of individuals based on vaccination status is
not only ineffective, but, more importantly, it is detrimental to individual liberty, the economy, and
psychological well-being; and

WHEREAS, it is unlawful discrimination to require proof of COVID-19 test results based
solely on vaccination status, and no establishment, medical, commercial, or public operator may
prioritize treatment of disease or service to Tennesseans based on vaccination status; now,
therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-21-102, is amended by adding the
following as new subdivisions:

() "COVID-19" means the novel coronavirus, SARS-CoV-2, and coronavirus
disease 2019, and includes a mutation of the novel coronavirus, SARS-CoV-2, and
coronavirus disease 2019;

() "COVID-19 immunity status" means the state of an individual's immune system in relation to COVID-19, specifically whether the individual has achieved active immunity from COVID-19, be that from vaccination, prior infection, or other means;

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 21, Part 5, is amended by adding the following as a new section:

Except as otherwise provided in this chapter, it is a discriminatory practice for a person to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation, resort, or amusement on the grounds of COVID-19 immunity status.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it, and applies to prohibited conduct occurring on or after that date.